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PATENT  
Attorney Docket No.: 17096-000210US

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By: \_\_\_\_\_



#11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Michael J. Dietz, II

Application No.: 09/003,003

Filed: January 5, 1998

For: ELECTRONIC SECOND SPIN  
SLOT MACHINE

Examiner: Carmen White

Art Unit: 3713

**DECLARATION OF  
MICHAEL J. DIETZ, II  
[37 C.F.R. § 1.132]**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Michael J. Dietz, II, declare as follows:

1. I am Vice President of Engineering at the Infinity Group, Inc. and the inventor of the subject matter disclosed and claimed in the present application. As part of my work at the Infinity Group, I design and build gaming machines. I have also made it a practice of keeping track of technical developments in the gaming field by reading gaming publications, talking with others in the field and attending gaming trade shows.

2. Prior to coming up with the inventions claimed in the present application, I was not aware of any electronic slot machine games which allowed the player to individually respin symbols displayed after the first spin in order to achieve a better combination of symbols.

3. Using my invention, the Infinity Group has built and sold slot machines under such trade names as "Lucky Break" and "Red Hot Respin" which have implemented my inventive concept. The Infinity slot machines have been sold to casinos in such places as North

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Carolina and New Mexico. I have been told by these casinos that the Infinity respin machines have met with great player approval, with lines of people waiting to play them, and have set records for slot machine revenues.

4. In view of the success of the Infinity Group machines, a number of Infinity's competitor are now manufacturing and selling their own "me too" respin slot machines. These "me too" respin slot machines include, among others, Silicon Gaming's "HOT REELS" slot machines at the Bellagio Casino in Las Vegas, the Leisure Time "POT O'GOLD" slot machines at the Smoky Mountain Casino in Cherokee, North Carolina, the VLC "SECOND CHANCE" and "POLLY'S PERIL" slot machine also at the Smoky Mountain Casino in Cherokee, North Carolina and the CDS "FRUIT PUNCH" slot machines at the Isleta Casino in Albuquerque, New Mexico.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: January 10, 2001

  
Michael J. Dietz, II

SF 1178724 v1



Attorney Docket No. 017096-000210US

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)Applicant: Michael J. Dietz, IIApplication No.: 09/003,003Filed: January 5, 1998For: ELECTRONIC SECOND SPIN SLOT MACHINEINFINITY GROUP, INC., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

certifies that it is assignee of the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 9247, Frame(s) 0889, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.
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The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: January 10, 2001Name: Michael J. Dietz, II.Title: Vice President of EngineeringSignature: Michael J. Dietz, II.

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

*EW*

AUGUST 25, 1998

PTAS  
TOWNSEND AND TOWNSEND AND CREW LLP  
GUY W. CHAMBERS, ESQ.  
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SAN FRANCISCO, CA 94111-3834



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UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 06/11/1998

REEL/FRAME: 9247/0889  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

DIETZ, MICHAEL J., II

DOC DATE: 06/04/1998

ASSIGNEE:

INFINITY GROUP, INC.  
6001 MIDWAY PARK N.E.  
ALBUQUERQUE, NEW MEXICO 87109

SERIAL NUMBER: 09003003  
PATENT NUMBER:

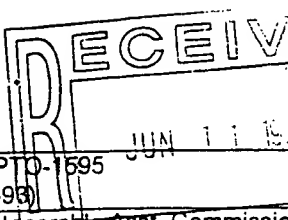
FILING DATE: 01/05/1998  
ISSUE DATE:

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FORM PTO-1595  
(Rev. 6-98)

To the Honorable Asst. Commissioner for Patents

100745073

U.S. Department of Commerce  
Patent and Trademark Office

1. Name of conveying party(ies):

Michael J. Dietz, II

Additional name(s) of conveying parties attached? ☐ Yes  
x No.

2. Name and address of receiving party(ies)

Name: INFINITY GROUP, INC

Internal Address:

Street Address: 6001 Midway Park N.E.

City: Albuquerque

State: NM ZIP: 87109

3. Nature of conveyance:

- x Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other:

Execution Date: June 4, 1998

Additional names and addresses attached? ☐ Yes x No

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 09/003,003

B. Patent No(s):

Additional numbers attached? ☐ Yes x No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Guy W. Chambers, Esq.  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
(415) 576-0200

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): \$40.00

☐ Enclosed ☒ Charge Fees to Deposit Account

x Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true and correct copy of the original document.

Guy W. Chambers  
Name of Person Signing

Signature

Date

Atty. Reg. No. 30,617

Total number of pages including cover sheet, attachments and document 2

10. Change Correspondence Address to that of Part 5? X Yes ☐ No

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ASSIGNMENT

WHEREAS, MICHAEL J. DIETZ II, of 7 Tildios, Peralta, New Mexico, hereinafter referred to as "ASSIGNOR," is the owner of all rights in certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: ELECTRONIC SECOND SPIN SLOT MACHINE

Filing Date January 5, 1998

Serial No.: 09/003.003

WHEREAS, INFINITY GROUP, INC, of 6001 Midway Park N.E., Albuquerque, NM 87109, hereinafter referred to as "ASSIGNEE," wants to acquire an interest in the invention and application and in any Letters Patent and Registrations that may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, this Assignment is executed this 4<sup>th</sup> day of May June, 1998.

BY: Michael J. Dietz II  
Michael J. Dietz, II  
TITLE: VP Engineering